

***Whangarei District Council***

***Complaints Policy***

***Policy  
#212***

<b>Policy title</b>			
Audience (Primary)	Internal (customer facing)	Business Owner (Dept)	Customer Services
Policy Author	Manager Democracy and Assurance	Review Date	Annual

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## **Introduction**

At Whangarei District Council we value your feedback. It is important we know when we get it right so we can continue to meet the expectations of our customers.

However, we know that like every organisation that serves the public, we will receive complaints. We provide a wide range of services and often make decisions on issues where people have conflicting opinions, particularly in relation to regulatory and enforcement matters. We also know that sometimes we will make mistakes or fail to meet customer expectations.

Whatever the cause of dissatisfaction with the service received, we want people to let us know so that we can resolve issues before they become serious problems.

Your feedback will help us to improve our decision-making and quality of services. Sometimes your feedback becomes a complaint and we will take your complaints seriously, and work with you to resolve them through our formal complaints process.

## **Purpose**

The purpose of this policy is to explain to the public, and council (staff, contractors and volunteers)

- our definitions of a complaint
- principles we will apply when dealing with complaints
- our process for management of complaints
- roles and responsibilities of our Council personnel

## **Scope**

This policy applies to and is followed by all council personnel across all council services.

## **Policy Exclusions**

This policy does not apply to services provided by our Council Controlled Organisations; however, we encourage them to adopt policies that are consistent with those of council.

Complaints regarding individual council staff are dealt with by our People and Capability Department in accordance with our Employee Complaint Handling Guidelines.

Complaints regarding Elected Members are dealt with under the Elected Members Code of Conduct and excluded from this policy.

## Definitions

<b>Council Personnel</b>	For the purpose of this policy, personnel includes any individual undertaking work or activities on behalf of Council (i.e. council staff, contractors and volunteers).
<b>Complaint</b>	<p>An expression of dissatisfaction by a member of the public about:</p> <ul style="list-style-type: none"><li>• council's action or lack of action</li><li>• a council decision, policy, process or charge</li><li>• the standard of service provided by or on behalf of council</li><li>• council staff, contractor or volunteer conduct</li></ul> <p>where a response or resolution is explicitly or implicitly expected.</p> <p>Under the scope of this policy a complaint does not include:</p> <ul style="list-style-type: none"><li>• a suggestion which does not require a formal response</li><li>• requests for service or information</li><li>• reporting an incident</li><li>• requests for information under the Local Government Official Information and Meetings Act 1987 (LGOIMA)</li><li>• feedback as part of a formal consultation process</li><li>• a complaint about Council following a process that it is required to follow by legislation</li><li>• any internal complaint from one staff member against another</li><li>• a complaint over which the customer or council have begun legal proceedings, or which has already been heard by a court or tribunal</li><li>• allegations against a contractor, volunteers or staff member of serious misconduct such as sexual harassment, fraud or assault</li><li>• insurance claims.</li></ul>
<b>Confidential / anonymous complaint</b>	Is a complaint where the customer does not wish to provide information that might identify them. These complaints will be logged, assessed where appropriate and used for process improvement but will not involve further communication with the customer.

## Principles

The following principles are central to how we handle complaints.

We will:

- make it easy for you to make a complaint, if you wish to do so
- acknowledge and respond to your complaint within the agreed timeframes
- communicate in a way that is easy to understand
- handle complaints with professionalism and discretion and in accordance with Council's Privacy Statement and Tikanga.

## Process

Customers can make a complaint through any of the following mechanisms:

- over the phone
- in writing (email or letter)
- in person
- through our website

All customer complaints are logged in our Customer Request Management (CRM) system and tagged as complaints if they meet the definition in this policy.

These complaints will be handled by the formal complaints process

We will acknowledge your complaint within **2 working days**.

Council's complaints management model is based on **four levels of escalation**.

<b>LEVEL 1</b> (BAU) STAFF & CONTRACTORS	<i>Customer expresses dissatisfaction or raises an issue which can be resolved by staff or contractors.</i> <b>Timeframe:</b> on the spot or within 2 working days for acceptance /acknowledgements. 15 working days for resolution.
<b>LEVEL 2</b> DEPARTMENT	<i>If immediate resolution is not possible and/or the customer wishes to escalate the issue, then a complaint will be logged, acknowledged and assigned to the appropriate department member. This includes escalation to a Department Manager or Team Leader and may require multi department response.</i> <b>Timeframe:</b> usually within an additional 15 days.
<b>LEVEL 3</b> GROUP MANAGER OR CHIEF EXECUTIVE	<i>If the customer asks for Council's initial response to be reviewed OR there is a complexity to the complaint and may require a multi departmental response, the complaint will be assigned to the appropriate Group Manager or the Chief Executive.</i> <b>Timeframe:</b> ideally within an additional 15 working days, however this may need to be extended depending upon the complexity of the enquiry.
<b>OMBUDSMAN REVIEW</b>	<i>If the customer is not satisfied with Council's response to their complaint they are entitled to ask the Ombudsman to review Council's response.</i> <b><a href="http://www.ombudsman.parliament.nz">www.ombudsman.parliament.nz</a></b>

### ***If we can't resolve the issue together***

Sometimes council cannot provide the outcome that the person making the complaint seeks.

- If council has followed the formal complaints process, a final response will be provided, and the matter closed.
- If the person making the complaint thinks they have been treated unfairly by council, they can refer the matter to the Office of the Ombudsman, who may be able to assist.

In a very small number of cases, the behaviour of customers with complaints can become unreasonable.

***Our Unreasonable Complainant Conduct Policy*** sets out how council will deal with customers whose behaviour meets the definition of unreasonable complainant conduct under that policy.

When this happens, council will take proactive and decisive action to manage any customer conduct that negatively and unreasonably impacts on the organisation and its staff.

### ***Relevant Legislation***

- Local Government Act 2002
- Privacy Act 2020
- Health and Safety at Work Act 2015
- Local Government Official Information and Meetings Act 1987

- Public Records Act 2005
- Ombudsman Act 1975

### ***Related Policies and documents***

- WDC Elected Member Code of Conduct
- WDC Employee Complaint Handling Guidelines
- WDC Unreasonable Complainant Conduct Policy (pending)

## Appendix One: Roles and responsibilities

Everyone in the council is responsible for listening and responding to customer feedback, both positive and negative. This section sets out the roles and responsibilities of council staff for dealing with complaints.

Role	Description
Staff or Contractor	<p>Where staff or contractors have direct contact with customers as part of their role. Responsible for listening to what our customers say, for resolving issues where they can and escalating if they cannot resolve them.</p> <p>Contractors are representatives of Council and the complaint would be escalated as appropriate within the contractor organisation and within Council if needed.</p>
Complaint owner	<p>Every complaint must have an owner. This is defined as the person to whom the complaint has been assigned. This will be normally be the relevant Department Manager. The owner is responsible for:</p> <ul style="list-style-type: none"> <li>• the relationship with the customer</li> <li>• communication with the customer about the complaint, timeframes and outcome</li> <li>• delegation of investigation and communication to appropriate experts</li> </ul>
Policy Owner	<p>The Customer Services Department of council are the <i>best practice experts</i> in customer services and are responsible for:</p> <ul style="list-style-type: none"> <li>• promoting, managing and maintaining the council complaints policy and procedures</li> <li>• providing advice, guidance and constructive challenge on all aspects of complaint handling and resolution (seeking advice from specialist advisors where required)</li> <li>• being the conduit for business improvement identified as a result of the complaints process</li> </ul>

## ***Approval***

This policy has been approved by the Kete policy approval process.